



**Filed: 3/19/2004**

09300HB4856ham002

LRB093 20933 LCB 48678 a

1 AMENDMENT TO HOUSE BILL 4856

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4856, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Tenant Utility Payment Disclosure Act is  
6 amended by adding Section 3 as follows:

7 (765 ILCS 740/3 new)

8 Sec. 3. Disclosure of utility services to be provided by  
9 landlord. Before executing a lease, the landlord shall provide  
10 to the prospective tenant a signed and sworn affidavit  
11 detailing any utility services to be paid for by the landlord.  
12 The affidavit shall specifically declare that payment for the  
13 indicated utility services is the obligation of the landlord  
14 rather than the tenant and that the indicated utility services  
15 will be turned on and functioning by the date of occupancy  
16 under the lease.

17 Failure of the landlord to provide the required affidavit  
18 does not invalidate the lease, but shall give rise to a  
19 rebuttable presumption of the landlord's bad faith in any  
20 action against the landlord based in whole or in part on the  
21 landlord's failure to provide utility services. Provides,  
22 however, that nothing in this Section shall be interpreted as  
23 authorizing the resale of electric service."